

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLIAM HARRIS,

Petitioner,

-against-

S. WALKER, WARDEN AT R.N.D.C. C-74,

Respondent.

22-CV-6563 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Petitioner brings this action *pro se*. By order dated August 3, 2022, the Court directed Petitioner, within 30 days, to submit a completed request for authorization to proceed *in forma pauperis* (“IFP”) or pay the \$5.00 filing fee required to file a petition for a writ of *habeas corpus* in this court. That order specified that failure to comply would result in dismissal of the petition. Because Petitioner failed to pay the fee or file an IFP application, by order dated September 21, 2022, the Court denied the petition without prejudice. *See* 28 U.S.C. §§ 1914, 1915. On September 29, 2022, however, the Court received from Petitioner an IFP application. In light of Petitioner’s *pro se* status, the Court accepts the late submission.

Accordingly, the Court directs the Clerk of Court to vacate the September 21, 2022, order and judgment (ECF 4-5), and to reopen this action for further proceedings.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: October 18, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge